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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION THREE

THE PEOPLE,

Plaintiff and Respondent,

v.

BENJAMIN MOHANEA KUAHUIA,

Defendant and Appellant.

G056560

(Super. Ct. No. 13WF0042)

O P I N I O N

Appeal from a postjudgment order of the Superior Court of Orange County, Margaret R. Anderson, Judge. (Retired judge of the Orange Super. Ct. assigned by the Chief Justice pursuant to art. VI, § 6 of the Cal. Const.) Affirmed.

Melissa Hill, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

\* \* \*

A jury convicted Benjamin Kuahuia of commercial robbery and other offenses. The trial court awarded one of the victims \$26,000 in restitution. Kuahuia appealed, and his appointed counsel filed a brief under the procedures outlined in *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*) and *Anders v. California* (1967) 386 U.S. 738. Because our review of the record discloses no arguable issues, we affirm the restitution order.

## I

### FACTS AND PROCEDURAL HISTORY

This is our third opinion in this case. In our first opinion, we affirmed Benjamin Kuahuia's convictions for commercial robbery and other offenses. (See *People v. Kuahuia* (Feb. 28, 2017, G051802) [unpub. opn.].) In our second opinion, we partially affirmed a postjudgment criminal restitution order. We concluded the trial court erred in awarding a robbery victim \$37,406.38, based in part on gross sales instead of net profits. We remanded the matter for the trial court to determine the victim's net profits. (See *People v. Kuahuia* (June 14, 2017, G052850) [unpub. opn.].)

Following remand, the trial court held an evidentiary hearing where the victim testified and evidence about net profits was submitted. The court then awarded the victim \$26,000 in restitution. After Kuahuia appealed, his appointed counsel filed a brief raising no issue, but asking this court to independently review the record on appeal. Kuahuia has not availed himself of the opportunity to file a supplemental brief (*People v. Kelly* (2006) 40 Cal.4th 106), nor has he requested to have appellate counsel relieved.

## II

### DISCUSSION

Following *Wende* guidelines, we have reviewed counsel's brief and the appellate record. We have examined the record and found no arguable issue. Consequently, we affirm. (*Wende, supra*, 25 Cal.3d at p. 443.)

III

DISPOSITION

The order is affirmed.

ARONSON, J.

WE CONCUR:

BEDSWORTH, ACTING P. J.

THOMPSON, J.